

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

TIMOTHY B. BOSTIC, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 2:13-cv-00395
)	
ROBERT F. McDONNELL, KENNETH)	
T. CUCCINELLI, II, and GEORGE)	
E. SCHAEFER, III, in their official capacities)	
)	
Defendants.)	

**MOTION TO DISMISS GOVERNOR McDONNELL
AND ATTORNEY GENERAL CUCCINELLI
ON SOVEREIGN IMMUNITY GROUNDS**

COME NOW, Robert F. McDonnell, in his official capacity as Governor of Virginia, and Kenneth T. Cuccinelli, II, in his official capacity as Attorney General of Virginia, pursuant to Fed. R. Civ. P. 12(b)(1), and move this Court to dismiss this action against them on grounds of sovereign immunity for the reason stated in the accompanying memorandum in support.

Respectfully submitted,

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of August 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I also sent a filed copy of the same to the following by U.S. Mail, postage prepaid:

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